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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant: Chakrabarti) Art Unit: 2176
)
Serial No.: 09/523,639) Examiner: Nguyen
)
Filed: March 10, 2000) **AM9-98-128**
)
For: **METHOD AND SYSTEM FOR DISTRIBUTED**) April 7, 2004
AUTONOMOUS MAINTENANCE OF) 750 B STREET, Suite 3120
BIDIRECTIONAL HYPERLINK METADATA ON) San Diego, CA 92101
THE WEB AND SIMILAR HYPERMEDIA)
REPOSITORY

APPEAL BRIEF

        This appeal brief is submitted under 35 U.S.C. §134. This appeal is further to Appellant's Notice of Appeal filed herewith.

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(1)   Real Party in Interest

        The real party in interest is IBM Corp.

(2)   Related Appeals/Interferences

        No other appeals or interferences exist which relate to the present application or appeal.

(3)   Status of Claims

        Claims 1-7 and 9-16 are pending and finally rejected.

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(4)   Status of Amendments

No amendments are outstanding.

(5)   Summary of Invention

Using Claim 1 as an example of the first grouping of claims, a Web server generates a table of inlinks to at least one Web page associated with the Web server, and a user computer different than the Web server can access the table of inlinks to generate a list of sibling links based on the table. As defined in Claim 1, a sibling link is an outlink of one of the inlinks in the table, for accessing the sibling links. Using Claim 13 as an example of the second group of claims, a Web page is downloaded from a Web server, and a request made for an inlinks or backlinks list associated with the Web page. In response to the request the list of inlinks or backlinks to the Web page is received from the Web server.

(6)   Issues

Whether the claims are unpatentable under 35 U.S.C. §103 as being obvious over Lee et al. in view of Bezos.

(7)   Grouping of Claims

Claims 1-7 and 9-12 are in one group and Claims 13-16 in another, because Claims 1 and 7 affirmatively require an additional element (generating sibling links from the inlinks) that is not in the other independent claims and that continues to be erroneously identified in the prior art.

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(8)   Argument

The claims are patentable over Lee et al. and Bezos, with the errors in the continued rejections being clear and manifest and, thus, amenable to quick and plain exposition.

Lee et al. is simply directed to a way to better arrange the history list of a Web browser. Consequently, whatever links it involves, they are merely links that have been accessed using the particular user's computer. Unlike what is required by Claim 1, the list of links in Lee et al. is not received from a Web server, but rather is generated by the user computer's browser, with links appearing in the list of Lee et al. only if the user has previously accessed them. Thus, there is no requirement that the links on the list in any way be related to one another. Bezos et al. can't help because it is directed to an altogether different application, namely, allowing associate Web sites of Amazon to advertise Amazon products and receive credit when a user clicks on a product hyperlink to take him back to Amazon to buy the product.

In contrast, the present claims require a list of in-links to be sent from a Web server to a user computer. Even were the references to be combined as proposed, this would not happen. No list of links is sent from a Web server to anything in either Lee et al. or Bezos. This is not surprising, since neither reference is in any way concerned with the distributed autonomous maintenance of hyperlink metadata, the subject of the present application.

With particular regard to the additional limitation in Claims 1 and 7 that sibling links must be generated using the inlink list received from the Web server, the relied-upon section of Lee et al. that has been used as a teaching of inlinks to facilitate generating a list of sibling links, with each sibling link being an outlink of one of the inlinks in the table (col. 14) simply discusses a hierarchy of links as generated by the user computer browser from the history file. There is no teaching or suggestion that the links are inlinks.

Either they are all inlinks, or they are all outlinks, but they cannot be both. Still further, there is no teaching that the links are used in turn to generate a list of outlinks. In fact, Lee et al. does not generate a list or table of any links based on other links, much less the specific links set forth in Claims 1 and 7. Thus, Lee et al. does not teach using links, much less inlinks, to generate a list of outlinks of the inlinks, as is otherwise recited in Claims 1 and 7.

The allegation that Bezos et al. "is in the same field of endeavor" (presumably, as Lee et al.) that underpins the suggestion to combine is incorrect. Lee et al. is directed to tidying up the presentation of links historically visited by a user computer, whereas Bezos is directed to proper accounting for advertisers on Amazon. Not surprisingly, the proferred suggestion to combine on pages 3 and 4 of the Office Action, to the extent that it is comprehensible, makes no sense in terms of what the prior art actually teaches. Specifically, the allegation that "Bezos suggests that referral links would allow potential customers to link to the merchant's web site to initiate purchases of products" is irrelevant to Bezos (it is directed to giving advertisers credit, not to facilitating user purchases by considering the number or nature of referral links) and is wildly irrelevant to the improved browser of Lee et al.

The limitations of independent Claims 13 and 15 have yet to be specifically addressed in prosecution. Indeed, they, like Claims 1 and 7, are patentable over the relied-upon references.
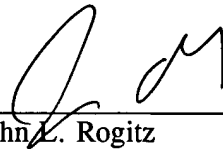
The Examiner has attempted to meet the above arguments in a rather bizarre way, first by quoting something from the present specification (which, of course, is not part of the prior art), and then by following up this seemingly irrelevant quote with an equally irrelevant observation that Bezos includes referral links, perplexingly without any explanation of the connection between the two observations. This enigmatic double step of quoting the present specification and then referring to something irrelevant in the prior art without

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divulging what point, precisely, the examiner is trying to make is repeated using Lee et al. Happily, there is a simple way to avoid confusion in sorting through the rejection. It would seem that the best approach would be to stick to what the claims actually say and what the prior art actually teaches, as summarized above, which clearly militates toward patentability of the present claims.

Respectfully submitted,

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APPENDIX A

1.   A computer system, comprising:
        at least one user computer;
        a data input device associated with the user computer;
        a Web server communicating with the user computer;
        server logic means at the Web server for generating a table of inlinks to at least one Web page associated with the Web server; and
        user logic means at the user computer for accessing the table of inlinks to facilitate generating a list of sibling links based on the table, each sibling link being an outlink of one of the inlinks in the table, for accessing the sibling links.

2.   The system of Claim 1, wherein the user logic means includes means for downloading the table from the Web server to the user computer, each inlink on the table being a hyperlink to a respective Web site, such that a person operating the user computer can select one of the inlinks to invoke the Web site associated with the selected inlink.

3.   The system of Claim 1, wherein the user logic means includes:
        means for downloading the table from the Web server to the user computer; and
        means for automatically accessing the inlinks to search the inlinks for predetermined information.

4.   The system of Claim 1, further comprising a data storage device for storing at least portions of the table.

5.   The system of Claim 4, further comprising means at the Web server for pruning inlinks in the table in response to at least one preselected criterium.

6.   The system of Claim 5, wherein the preselected criterium is based at least in part on a number of selections of each inlink.

7.   A computer-implemented method for accumulating information on the World Wide Web that is relevant to at least one topic, comprising the steps of:
        at a Web server, generating a list of inlinks for at least one Web page associated with the server; and
        at a user computer, downloading the list of inlinks for facilitating information retrieval using the list, wherein the list is a table, and the method includes generating a list of sibling links based on the table, each sibling link being an outlink of one of the inlinks in the table, for searching the sibling links.

8.   (cancelled)

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9.   The method of Claim 8, further including downloading the table from the Web server to the user computer, each inlink on the table being a hyperlink to a respective Web site, such that a person operating the user computer can select one of the inlinks to invoke the Web site associated with the selected inlink.

10.   The method of Claim 8, further comprising:
downloading the table from the Web server to the user computer; and
automatically accessing the inlinks to search the inlinks for predetermined information.

11.   The method of Claim 8, further comprising pruning inlinks in the table in response to at least one preselected criterium.

12.   The method of Claim 11, wherein the preselected criterium is based at least in part on a number of selections of each inlink.

13.   A computer program device comprising:
a computer program storage device readable by a user computer; and
a program means on the program storage device and including instructions executable by the user computer for performing method steps for searching the World Wide Web, the method steps comprising:
downloading a Web page from a Web server;
requesting an inlinks or backlinks list associated with the Web page; and
in response to the requesting step, receiving from the Web server the list of inlinks or backlinks to the Web page.

14.   The computer program device of Claim 13, wherein the method steps further comprise:
automatically accessing the list to obtain sibling links to the Web page.

15.   A computer program device comprising:
a computer program storage device readable by a Web server; and
a program means on the program storage device and including instructions executable by the Web server for performing method steps for compiling information useful for searching the World Wide Web, the method steps comprising:
receiving hyperlink requests for Web pages, each hyperlink request being sent via an inlink;
recording at least some inlinks along with one or more inlink criteria; and
transmitting the inlinks to user computers requesting the inlinks.

16.   The computer program device of Claim 15, wherein the inlink criteria include one or more of: inlink request time, and number of times each inlink is used to hyperlink a user computer to a Web page.